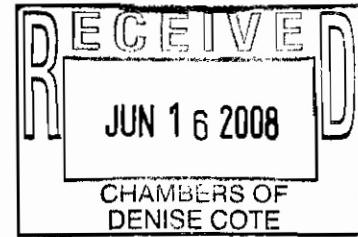




**MEMO ENDORSED**



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June 13, 2008

VIA HAND DELIVERY  
Honorable Denise L. Cote  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 6/16/08

Re: Eric Edwards v. City of New York, et al., 08 Civ. 3134 (DLC)

Dear Judge Cote:

I am an Assistant Corporation Counsel in the Labor and Employment Law Division of the New York City Law Department and the attorney assigned to the defense of the City of New York and the New York City Department of Correction ("DOC") in this action. Earlier today, June 13, 2008, defendants filed a motion pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, seeking to dismiss plaintiffs' claim that Correction Officers are entitled to compensation under the Fair Labor Standards Act for time spent donning and doffing their uniforms. On the second claim asserted by plaintiffs, namely that they are entitled to compensation for time spent on meal breaks, defendants intend to move for summary judgment at a later date on the ground that Correction Officers are, in fact, compensated for their time on meal breaks. Defendants respectfully request that their answer to the complaint be stayed pending the Court's decision on their motion to dismiss.

*Granted.  
Denise Cote  
June 16, 2008*

Thank you for your consideration in this regard.

Respectfully submitted,



Basil C. Sitaras (BS-1027)  
Assistant Corporation Counsel

cc: VIA FACSIMILE

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